

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
 v.) CR. NO. 2:07cr28-MEF
)
CLARENCE EARL BIVINS)

UNITED STATES' MOTION FOR REDUCTION
FOR ACCEPTANCE OF RESPONSIBILITY

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and respectfully moves this Court to reduce by one (1) level Defendant's offense level based on Defendant's acceptance of responsibility. As grounds for this Motion, the United States avers as follows:

1. On February 22, 2007, an Indictment was filed against the Defendant.
2. The Defendant notified the United States of Defendant's intent to plead guilty in sufficient time to qualify for an additional one point offense level reduction. The Defendant pled guilty to the Indictment on September 24, 2007.
3. Therefore, pursuant to United States Sentencing Guidelines § 3E1.1(b), as amended, the United States makes this formal motion for a one-level reduction in Defendant's offense level for acceptance of responsibility such that the total reduction in offense level for Defendant's acceptance of responsibility shall be three (3) levels.

WHEREFORE, the United States respectfully requests that this motion be GRANTED.

Respectfully submitted this the 28th day of November, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/Tommie Brown Hardwick
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CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

William R. Blanchard, Esq.

Respectfully submitted,

/s/Tommie Brown Hardwick
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